UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,188	09/13/2000	Hannes Eberle	53470.000020	8189

			EXAMINER
29315	7590	05/06/2004	PHAN, JOSEPH T

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ART UNIT	PAPER NUMBER
2645	23

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO 90C (Rev 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _16 January 2004_.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-16_ is/are pending in the application.
      4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-16_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
      Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
      Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
      a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
      * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _2 2_.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

Claims 1-16 rejected under 35 U.S.C. 102(e) as being anticipated by Wolfe

et al., Patent #6,507,817.

Regarding claims 1 and 9, Wolfe teaches a system and method for generating an

active voice page that provides at least one interactive and real-time voice service to at

least one user and includes at least one parameter set by the user as a trigger condition

[col.3 lines 41-45, col.6 lines 25-67 and col.8 lines 13-27; parameter is set by user

which is his device capabilities/preferences which when checked and met, the

application server customizes the delivery method(ie. TTS if phone or email if only has a

PC)], the active voice page comprising at least one markup language document (Fig.3

and col.8 lines 23-34), the system and method comprising:

a subscription interface that enables the at least one user to subscribe to at least one

voice service, wherein each user specifies at least personalized content associated with

the at least one voice service(col.7 line 57-col.8 line 44);

an input module that receives data reports and a structure for the at least one voice

service and a markup language converting module that converts the data reports and

the structure into a markup language(62 and 64 Fig.1, col.3 lines 17-40 and col.8 lines

23-34) ;

a monitoring module that determines whether the at least one parameter has been

satisfied(*col.6 lines 25-67 and col.8 lines 13-27*);

a blending module for blending the converted data reports and the converted structure

into the active voice page(Fig.3, col.3 lines 17-40, and col.8 lines 23-34); and

a communication module that enables the at least one voice service to initiate a

communication session with the at least one user when the at least one parameter is

satisfied wherein the communication module is adapted to convey the personalized

content to the at least one user and to enable the at least one user to respond to the at

least one voice service (66 Fig. 2, col.3 lines 28-40 and col.8 lines 7-44; the

personalized content is conveyed to the user and response interaction can occur).

Regarding claims 2 and 10, Wolfe teaches the system and method of claims 1

and 9, wherein the markup language is extensible markup language (col. 6 lines 32-39)

Regarding claims 3 and 11, Wolfe teaches the system and method of claims 1

and 9, wherein the markup language is TML *(col.6 lines 32-67; TML is telephony*

markup language which this is).

Regarding claims 4 and 12, Wolfe teaches the system and method of claims 1

and 9, wherein the data reports are online analytical processing system reports (col.6

lines 19-67)

Regarding claims 5 and 13, Wolfe teaches the system and method of claims 1

and 9, wherein the markup language converting module comprises a markup language

generator that receives the structure and generates a markup language document from

the structure *(col.6 lines 32-67)*

Regarding claims 6 and 14, Wolfe teaches the system and method of claims 1

and 9, wherein the markup language converting module comprises a markup language

transforming module that receives data reports from the input module and transforms

the data reports into markup language documents *(col.6 lines 32-67).*

Regarding claims 7 and 15, Wolfe teaches the system and method of claims 6

and 14, wherein the markup language transforming module receives stylesheets from

the input module and transforms the data reports into markup language documents

using the stylesheets (col.7 lines 1-36).

Regarding claims 8 and 16, Wolfe teaches the system and method of claims 1

and 9 further comprising: receiving one or more style properties that are unique to the at

least one user and generating a call request for the at least one user from the active

voice page and the style properties (col.7 lines 1-36).

Regarding claims 17 and 18, Wolfe teaches the system and method of claims 1

and 9 further comprising a monitoring module that is adapted to monitor predetermined

conditions initiate execution of the at least one voice service (Fig.1and col.8 lines 31-44)

Response to Arguments

2.   Applicant's arguments with respect to claims 1-16 have been considered but are

moot in view of the new ground(s) of rejection above.

Examiner notes that the added limitation of "parameter set by user as a trigger condition" as claimed does not limit to applicant's scheduling condition or the triggering of the generation of the voice page. Examiner can read as checking and meeting the preferences set by the user then establishing a communication session.

Conclusion

3.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is 703-305-3206. The examiner can normally be reached on M-TH 9:00-6:30, in every other Friday.

   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JTP
April 28, 2004

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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600